

# ***NEWS RELEASE***

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***OFFICE OF THE UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF CALIFORNIA  
San Diego, California***

***United States Attorney  
Carol C. Lam***

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***For Immediate Release***

**NEWS RELEASE SUMMARY** - March 8, 2004

United States Attorney Carol C. Lam announced the arraignment earlier today of JAMES ROBERT HARER in federal district court in San Diego, before United States Magistrate Judge Leo S. Papas, on a two-count indictment charging HARER with sending threats through the mail. The indictment, which was returned by a federal grand jury on March 2, 2004, alleges that on both June 3, 2003 and July 22, 2003, the defendant sent letters to an Internal Revenue Service (IRS) Auditor which contained threatening communications.

According to Assistant U.S. Attorney John Parmley, who is prosecuting the case, both threatening letters contained inert white powder. As stated at today's hearing, when the second letter was received by the IRS, concerns over whether the white powder was anthrax resulted in portions of the Federal Building in downtown San Diego being evacuated as a precautionary measure.

United States Attorney Lam stated, "We are making it very clear that we will not tolerate threats or hoaxes used to intimidate federal employees in the performance of their official duties."

The defendant faces a maximum possible sentence of ten years imprisonment on each count of the indictment. The defendant will next be in court before United States District Court Judge Irma E. Gonzalez for a motions setting hearing on March 15, 2004 at 9:00 a.m.

**DEFENDANT**

James Robert Harer

**SUMMARY OF CHARGES**

Number of Defendants: One

Number of Counts: Two

Violations: Title 18, U.S.C. §876 - Mailing Threatening Communications

Maximum penalty of ten years imprisonment and/or a \$250,000 fine.

**AGENCIES**

Treasury Inspector General for Tax Administration (TIGTA)

United States Postal Inspectors

**An indictment itself is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.**